

UNITED STATES COURT OF APPEALS
Filed 6/27/96TENTH CIRCUIT

JIMMY R. NEWSOM,

Plaintiff-Appellant,

v.

UNITED STATES FEDERAL
GOVERNMENT,

Defendant-Appellee.

Case No. 95-6365

(D.C. CIV-95-1415-T)
(Western District of Oklahoma)

ORDER AND JUDGMENT*

Before BRORBY, EBEL, and HENRY, Circuit Judges.

Plaintiff-appellant Jimmy R. Newsom filed on September 7, 1995, a pro se complaint which, construed liberally, see Haines v. Kerner, 404 U.S. 519, 520-21 (1972), appears to allege various injuries occurring in 1961, 1965, 1987, 1988, 1990 and 1995. The allegations are so irregular that it is impossible to identify precisely the cause of action under which the appellant seeks relief.

*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

The district court determined that all of the claims were barred by either the statute of limitations, the failure to exhaust administrative remedies, or the absence of legal or factual basis. The court dismissed the action on the grounds that it lacked subject matter jurisdiction and that the complaint was frivolous. 28 U.S.C. § 2675(a); 28 U.S.C. § 1915(d). Appellant was granted in forma pauperis status and appealed.¹

We find no error in the decision of the district court and AFFIRM. The mandate shall issue forthwith.

Entered for the Court,

Robert Henry
Circuit Judge

¹After examining the briefs and appellate record, this panel has determined that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.